



TOWN OF SALISBURY, MA

ZONING BOARD OF APPEALS

PETITION FOR RELIEF by ADMINISTRATIVE APPEAL

as per M.G.L. Ch. 40A, Section 8 and Salisbury Zoning By-Law Article VII, section 300-33

To the Salisbury Board of Appeals;

The undersigned petitions the Board of Appeals for relief by Special Permit, in the manner and for the reasons herein after set forth in this application and as per the provisions of the zoning ordinance, to the following described premises;

APPLICANT's CONTACT INFORMATION

Name of Applicant:

Full Name

Business (DBA) Name:

Address of Applicant:

(personal/home)

#/Street

Town/City

State

Phone

Email

Is the Applicant the Owner of this Property?

Lessee or Renter?

If the Applicant is an Agent for the Legal owner of the Property, please provide Legal Owner's Information below;

Name/Signature:

printed name

signature

Address:

#/Street

Town/City

State

Zip

Phone #

Email

ADDRESS for APPEAL INFORMATION

Location of Petitioned Premises

Assessors Map and Lot/Parcel

Map

Lot

Assessing Dept. Sign-off

Zoning District

type & number

Dimensions of Lot

frontage

(feet)

depth

(feet)

Area

(sq. feet)

What is Existing Use _____

What is Proposed Use _____

Has a Variance/Special Permit/Finding been requested before for this Premise? Or This Applicant? _____
(If yes, please attach a copy of that petition and decision) yes/no

Has the Applicant appeared before any other Town Board/Commission related to this Request? _____
yes/no

What Zoning Bylaw Section is Relief being requested from? _____
Section # & Title

REQUEST FOR RELIEF INFORMATION

Please State the reasons for the Request for Relief - Administrative Appeal

Please attach an additional Letter if there is not enough space

AFFIDAVIT & SIGNATURES

By entering and signing my name below, I hereby attest under the pains and penalties of perjury that all of the information contained in this Petition for Relief is true and accurate to the best of my knowledge and understanding.

Applicant's Signature: _____

LEGAL NOTICE

M.G.L. Ch. 40A sets the legal requirement for a Special Permit:

The permit granting authority shall have the power after public hearing for which notice has been given by publication and posting as provided in Section 11 and by mailing to all parties in interest to grant upon appeal or upon petition with respect to particular land or structures a variance from the terms of the applicable Zoning ordinance or bylaw where such permit granting authority finds that owing to circumstances relating to soil conditions, shape or topography of such land or structures by not affecting generally the zoning district in which it is located, a literal enforcement of the provisions of the ordinance or bylaw would involve substantial hardship, financial or otherwise, to the petitioner or appellant, and that desirable relief may be granted without substantial detriment to the public good and without nullifying or substantially derogating from the intent or purpose of such ordinance or bylaw.

DOCUMENTATION TO BE ATTACHED

Is there a Plan of the Proposed Apartment attached to this application?

no yes n/a if no, please explain

Please also see CHECKLIST FOR RELIEF PETITIONS as provided by the Town of Salisbury.

APPEALS PROCESS

APPEALS

- * Within **(14) days** of acting on a Petition for Relief, the Board will file the **decision** with the Salisbury Town Clerk.
- * Notice shall be mailed to the Petitioner/Appellant and parties of interest once a **decision** is filed.
- * The **decision** may be appealed within Twenty **(20) days** after filing with the Salisbury Town Clerk.

All Appeals shall be conducted in accordance with Mass. General Law, Ch.40A, Section 17

DECISION FILING W/REGISTRY

- * After the **(20) days** appeal period, a Certified Copy of the decision will be available from the Town Clerk.
- * The variance will take effect once the **Petitioner/Appellant** has picked up the Certified Copy from the Town Clerk and recorded it with the Salem Registry of Deeds. The Town of Salisbury does **not** record the decision for you.
- * A copy of that recorded decision will need to be filed with a Building Permit Application before a permit is issued.
- * The decision will lapse if substantial use is not made within 2 years of the Clerk's filing.

CAVEAT FOR INCOMPLETE SUBMISSION

Please be advised, if the application is submitted without complete information, not fully filled out or lacks signatures, the Zoning Board of Appeals has the right to dismiss without prejudice.

THIS FORM IS NOW COMPLETE AND READY FOR SUBMISSION TO THE SALISBURY TOWN CLERK



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CHECKLIST for PETITIONS of RELIEF

including Variances, Special Permits & Findings

STEP ONE - PREPARING THE DOCUMENTS

The Applicant shall prepare Eight (8) 'packages', each containing the following;

- A** A **Letter of Clarification** from the Inspector of Buildings
- B** A **Certified Plot Plan** - It must adhere to the following criteria;
 - 1 Plot shall be drawn to a scale of 1" = 40 ft., show all lot dimensions incl. elevations
 - 2 Plot shall be certified & stamped by a licensed surveyor or engineer
 - 3 Show all existing & proposed structures, at the proper angles, with their setbacks
 - 4 Show all other pertinent features, such as the septic system, in full
 - 5 Show any easements and/or right-of-ways, public or private, that abut or cross the lot
 - 6 The address of the Petition for Relief shall be on the drawing
 - 7 Show any applicable flood elevations and flood zone designations
- C** A **Drawing** - Provide side views (elevations), with heights, of the proposed project
- D** **Tax Collector** statement - Provide a statement indicating that taxes and fees are currently paid
- E** **Deed** - Provide a copy of the **Property Deed**, showing the Applicant's Ownership interest
OR
If Applicant is not the Property Owner, the actual **Property Owner** shall sign the Application
- F** **Application** - include a copy of the **Petition for Relief Application**

STEP TWO - ASSEMBLING THE PETITION PACKAGES

- G** Assemble all of the items into **(8)** paper clipped packages for submission.
- H** **Assessor's Office** - Acquire Two (2) copies of the Certified Abutters List (\$15 fee)
- I** Write a **check/cash** to pay for the appropriate fees (see the 2009 fee schedule)

STEP THREE - SUBMISSION OF THE PACKAGES

- J** **Town Clerk** - Bring all (8) packages, (2) Abutter's lists and Payment to the Salisbury Town Clerk.
- K** The Salisbury **Zoning Secretary** will contact you within a few days to schedule your hearing.

STEP FOUR - ADDITIONAL ITEMS

- L** **Legal Ad** - The legal ad will be created and submitted to the Newspaper by the Zoning Secretary.
The Newburyport Daily News will contact you, the Applicant, directly for payment.
- M** **Abutter's Notices** - These will be mailed by the Salisbury Zoning Secretary, using the labels that the Applicant purchased from the Assessor's office and provided in the package.

CAUTION : If the Application or Submission Package is submitted without the proper information, is incomplete or not signed, the Board has the right to dismiss your Petition for Relief without prejudice.

Zoning Board Fees

Effective November 2, 2009

<u>REQUEST</u>	<u>Fee Schedule</u>
Special Meeting	To hold a Special Meeting \$230*
Appeal	\$110 (1&2 Family) \$200 + 25/unit (multi- family residential and commercial) * *includes postage, applicant pays for legal ad
Variance	\$110 (1&2 Family) \$200 + 25/unit (multi- family residential and commercial) Maximum of \$2500 per variance request**includes postage, applicant pays for legal ad 6- month variance extension= \$100
Findings	\$110 (1&2 Family) \$200 + 25/unit (multi- family residential and commercial)* Maximum of \$2500 per application includes postage, applicant pays for legal ad
Special Permit	\$250* includes postage, applicant is responsible for the legal ad Renewal \$200
Comprehensive Permit	\$225 per unit if project is 100% Affordable Housing - \$100 per unit includes postage, applicant is responsible for the legal ad